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FEB 1 2 2004



OFFICIAL

fax

TO Examine George A. Suchfield

USPTO

FROM DUS Christerse

DATE Feb 12,2004

PAGE

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Email Selector Ashell.com Internet http://www.shell.com

SUBJECT: Terminal Disclaime & Fee Arthorization

hous 09/841,444

Very truly yours, Shell Oil Company

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.:

09/841,444

Confirmation No.:

4543

Filing Date:

April 24, 2001

Inventors:

Wellington et al.

Title:

IN SITU THERMAL

PROCESSING OF A **HYDROCARBON** 

CONTAINING FORMATION

IN A REDUCING ENVIRONMENT

Examiner:

G. A. Suchfield

Art Unit:

3672

Atty. Dkt. No.:

5659-02300/EBM

CERTIFICATE OF FACSIMILE FILING

DATE OF

TRANSMISSION:

I bereby certify that this correspondence is being sent by faccimile to the United States Putent and Trademark Office, Fox. No. (703) 872-9306 on the date indicated above.

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PATENT APPLICATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

- 1. Applicant is the owner of all rights in the captioned patent application. Applicant certifies that it is the assignee of the entire right, title and interest in the captioned patent application by virtue of an assignment from the inventors of the captioned patent application, the assignment recorded with the Patent and Trademark Office at Reel 012600, Frame 0219.
- 2. Applicant is the owner of all rights in U.S. Patent Application No. 10/128,701. Applicant certifies that it is the assignce of the entire right, title and interest in U.S. Patent Application No. 10/128,701 by virtue of an assignment from the inventors of the patent application, the assignment recorded with the Patent and Trademark Office at Reel 013477, Frame 013477.
- As sole owner in the captioned patent application, Applicant hereby disclaims, except as 3. provided below, the terminal part of the statutory term of any patent granted on the captioned patent

application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application No. 10/128/701.

- 4. Applicant hereby agrees that any patent granted on the captioned patent application shall be enforceable only for and during such period that the patent and any patent granted on U.S. Patent Application No. 10/128,701 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.
- 5. In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. \$154 to \$156 and \$173 of a patent granted on U.S. Patent Application No. 10/128,701, as presently shortened by any terminal disclaimer, in the event that the patent granted on U.S. Patent Application No. 10/128,701 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. \$1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

6. A fee authorization for the required fee is attached.

By:

Del S. Christensen

Senior Counsel for Shell Oil Company

Reg. No. 33,482

SHELL OIL COMPANY P.O. BOX 2463 HOUSTON, TX 77252-8463 (713) 241-3997 (voice) (713) 241-6617 (facsimile)

Date: 12,2004

PATENT TH1948

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

09/841,444

Confirmation No.:

4543

Filing Date:

April 24, 2001

Inventors:

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IN SITU THERMAL

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Examiner:

G. A. Suchfield

Art Unit:

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Atty. Dkt. No.:

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No. (703) 872-9306 on the date indicated above.

## FEE AUTHORIZATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The Commissioner is hereby authorized to charge the following fees to Shell Oil Co. Deposit Account Number 19-1800/TH1948:

1. Terminal Disclaimer Fee

\$110.00

TOTAL AMOUNT:

\$110.00

The Commissioner is also authorized to charge any extension fee or other fees that may be necessary to the same account number.

Respectfully submitted,

Del S. Christensen

Senior Counsel for Shell Oil Company

Reg. No. 33,482

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